In the Supreme Court of the United States.

OCTOBER TERM, 1899.

ROTHSCHILD & BROTHER
v.
THE UNITED STATES. } No. 298.

ON A CERTIFICATE FROM THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE SECOND CIRCUIT.

MOTION TO ADVANCE.

Now come the appellants, Rothschild & Brother, and move the court to advance the above-entitled cause and to set the same for hearing at an early date, and give therefor the following reasons:

First. That the question of law raised in the certificate filed in this cause involves the construction of paragraphs 213 and 214 of the tariff act of July 24, 1897, Schedule F, imposing duty on wrapper and filler tobacco.

Second. Because the cause was certified to this court by two judges of the circuit court of appeals on a division.

Third. Because the question involved has been decided in favor of the Government in the United States circuit court for the southern district of New York, and has been decided against the Government by the United States circuit court for the southern district of Florida, and the appeal of the Government in the Florida case is now pending in the United States circuit court of appeals for the fifth circuit.

Fourth. That a very large number of cases involving the classification and assessment of duty on tobacco are now pending before the United States Board of General Appraisers, the protests being filed from all parts of the United States, and all of said cases are suspended, and the liquidation of the entries held up, pending the decision of this, and it is to the interest of the Government, as well as to that of all importers of tobacco, to have a speedy construction of the statute in question.

The Solicitor-General, on behalf of the United States, concurs in this motion.

EDWARD R. GUNBY,
Attorney for Appellants.

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